

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**INHALATION PLASTICS, INC.,**

**Plaintiff,**

**v.**

**MEDEX CARDIO-PULMONARY, INC.  
SMITHS MEDICAL ASD, INC.  
a/k/a SMITHS MEDICAL and d/b/a  
SMITHS MEDICAL,**

**Defendants.**

**Case No. 2:07-cv-116**

**Judge Michael H. Watson**

**Magistrate Judge Jolson**

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**MEDEX CARDIO-PULMONARY, INC.,**

**Counter-Plaintiff,**

**v.**

**INHALATION PLASTICS, INC.,  
WALTER LEVINE and  
DAVID LEVINE,**

**Counter-Defendants.**

**AGREED ENTRY RESOLVING NOTICE OF ATTORNEY LIEN**

This matter is before the Court on the petition of non-parties Matthew Tanner and Richard Lehman to enforce an attorney lien, ECF No. 409. Plaintiff/Counter-Defendants have disputed the enforceability of the lien. Previously, the Court had ordered \$100,000 to be deposited with the Clerk and

directed the Clerk to place those funds in an interest-bearing account pending resolution of the lien issue. See ECF No. 403.

The parties have notified the Court that they have resolved the dispute over the attorney lien. Accordingly, the Court **ORDERS** the following per agreement of the parties:

1. The petition to enforce filed by Messrs. Tanner and Lehman, EFC No. 409, is deemed withdrawn.
2. The Clerk shall distribute all funds that were deposited as follows:
  - a. \$37,500 payable to Matthew Tanner.
  - b. \$37,500 payable to Richard Lehman.
  - c. \$25,000 plus any and all interest accrued on all of the deposited funds payable to Inhalation Plastics, Inc.

**IT IS SO ORDERED.**

/s/ Michael H. Watson  
**MICHAEL H. WATSON, JUDGE**  
**UNITED STATES DISTRICT COURT**

*Agreed:*

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/s/ Matthew D. Tanner (per email auth.)  
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Attorney for Matthew D. Tanner and  
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Inhalation Plastics, Inc. and Counter-  
Defendants David Levine and Walter  
Levine